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REMARKS/ARGUMENTS

Claims 1-27 stand rejected.

Rejection of Claims 11-27:

Claims 11 and 12 are rejected as anticipated by Kovac (US 5,833,603).

Claim 11 has been amended to recite a swallowable capsule. It is respectfully urged that Kovac, which teaches an implantable transponder, does not teach the subject matter of Claim 11 as amended.

Claim 12 as originally presented recites, among other things, marking target cells in the patient with a substance capable of being detected, directing a detector through a naturally occurring body lumen in a patient, and mathematically transforming data representing at least some of the signals detected. It is respectfully urged that Kovac does not teach all of these steps. In particular, the Examiner is requested to point out where in Kovac there is teaching related to marking target cells with a substance capable of being detected and directing a detector through a naturally occurring body lumen in a patient.

Accordingly, withdrawal of the rejection of Claim 11 as amended and Claim 12 is requested.

Rejection of Claims 13-18

Claims 13-18 are rejected as anticipated by Kovacs. The Examiner acknowledges that Kovac does not explicitly state that "the detection substance is a monoclonal body (sic), peptide, nanoparticle, mRNA, and DNS (sic)". The Examiner states that these are inherent properties of biochemical composition of tissues and cells, and cites column 6, lines 26-36.

It is respectfully urged that this disclosure in Kovac does not teach marking target cells in a patient with a substance capable of being detected. Instead, column 6, lines 26-36 of Kovac appears to refer to living tissue implants.

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Further, with respect to Claim 14, it is not seen how Kovac teaches a monoclonal antibody. Accordingly, it is respectfully urged that Kovac does not teach the subject matter of Claims 13-18, and the rejection should be withdrawn.

Rejection of Claims 19-23

Claims 19-23 are rejected as anticipated by Kovacs. The Examiner states that Kovacs et al discloses that the biosensor detects "energy spectra via optical or photosensor, which is used along with dye to acquire optical radiation." The Examiner acknowledges that Kovacs does not disclose radioisotopes, but the Examiner states that it is inherent that the dye solution must be radioactive or radioisotopes, citing column 1, lines 56-65; col 4, lines 34-44, and col 5, lines 5-26.

It is respectfully urged that this rejection is improper. First, it is respectfully urged that the Examiner has mischaracterized Kovac by stating the cited passages in Kovac inherently disclose radioisotopes. For instance, column 1, line 65 of Kovac refers to "changes in an optical property of a dye." It is respectfully urged that a dye solution is not inherently a radioisotope, as the Examiner maintains, and the Examiner is requested to withdraw the rejection.

However, even if the Examiner's characterization were correct, it is respectfully urged that the rejection is improper for the reasons set forth above with respect to the base claim, Claim 12. Further, with respect to Claim 19, it is respectfully urged that Kovac does not teach or suggest administering multiple radioisotopes as set forth in Claim 19.

With respect to Claims 20-22, it is not clear what basis the Examiner has for rejecting these claims. The Examiner is respectfully requested to point out specifically where Kovac teaches the limitations set forth in those claims so that the Applicant has a full and fair opportunity to respond.

With respect to Claims 24-27, the Examiner rejects these claims based on column 1, line 66 to column 2, line 11. This portion of Kovac discloses illuminating a region of tissue, gas, or

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fluid of interest with an optical energy source having a known spectrum, and comparing a detected spectrum with the spectrum of illumination to determine the related chemical or other properties of the tissue, gas, or fluid of interest.

It is respectfully urged that the Examiner has not shown how Kovac teaches or suggests: employing multiple detectors (claim 24); comparing the outputs of multiple detectors to provide a spatial response pattern (claim 25), comparing temporal (i.e. time) variation of acquired data with predetermined pattern (claim 26), or employing multiple radiation sources external of a patient (claim 27).

Rejection of Claims 1-10

Claims 1-10 are rejected as obvious over Kovac as applied to Claim 12 and further in view of Iddan (US 5,604,531). It is respectfully urged that this rejection is improper for the reasons set forth with respect to the Examiners application of Kovac to Claim 12.

Additionally, it is respectfully urged that the Examiner has not indicated how Kovac or Iddan teach or suggest a swallowable capsule that includes a detector, a pulse shaping device, and at least one single channel analyzer. The Examiner states that Kovacs teaches a "single analyzer" (sic), and refers to column 4, lines 35-44. It is respectfully urged that column 4, lines 35-44 discloses a list of various sensors, but it is respectfully urged that it is not seen how column 4, lines 35-44 teaches or suggests a single channel analyzer. Further, with respect to Claim 8, the Examiner is respectfully requested to point out where Iddan teaches a capsule coated with a material for modifying the capsule's transit through the gastro-intestinal tract.

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Applicant respectfully requests the Examiner to reconsider and withdraw the rejections in light of the remarks above.

Respectfully submitted,

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